THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.25975 of 2005

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Dated:02.01.2006

Between:

Akula Srinivas, S/o Malla Reddy
R/o Near Hanuman Temple, Mancherial Town,
Adilabad Dist.

..... PETITIONER

AND

The Executive Officer
Gram Panchayat, Naspor Village, Mancherial Mandal,
Adilabad Dist, and others.

.....RESPONDENTS

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WRIT PETITION No.25975 of 2005

ORDER:

The petitioner is a resident of Mancherial Town, Adilabad District, and he is allegedly the owner of the land admeasuring Ac.0.28 guntas, which was purchased by his father from Kolluri Shobha Latha. The petitioner also alleges that the land originally belonged to one Gadasu Rajamallu, who was assigned the land of an extent of Ac.1.20 guntas in Survey No.64/33 in Naspur Village, and who sold an extent of Ac.0.28 guntas to one Chauna Madhavuni Vijaya Laxmi, who in turn sold the said land to Shobha. It is alleged that the petitioner has been in possession of the property since 1987 after purchasing the land. On 02.12.2005, it appears, the respondents came to the property and conducted survey, and on enquiry, the petitioner was informed that the land would be taken for expansion of Autonagar in Macherial Town. Alleging that without initiating any proceedings under the Land Acquisition Act, 1894, the respondents are trying to take the land forcibly, the present writ petition is filed.

When the case was listed on 06.12.2005 the learned Assistant Government Pleader

for Revenue (General), and the learned Standing Counsel for Panchayat Raj, were directed to get instructions in the matter. Today, when the case is called, the learned Assistant Government Pleader submits that as the assignee, G.Rajamallu, sold the land in contravention of the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act'), necessary action was taken, and the land was already resumed from the assignee as well as the transferees under the provisions of the Act, and that the land was already handed over to Autonagar. The learned Counsel submits that the petitioner is not in possession of the property.

In view of this, liberty is given to the petitioner to obtain a copy of the order passed by the Mandal Revenue Officer under the provisions of the Act, and seek appropriate redressal before the appellate authority under the said Act. In this writ petition, no relief can be granted to the petitioner.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

02.01.2006

vs

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